COUNTY OF LAKE

255 North Forbes Street
Lakeport, CA 95453

Meeting Minutes - Draft
BOARD OF SUPERVISORS

Tuesday, March 1, 2016 | **9:00 AM** | **Board Chambers**

1. Call to Order

The meeting was called to order at 9:00 a.m. by Chair Brown. County Administrative Officer Matt Perry, County Counsel Anita Grant, and Assistant Clerks of the Board Carolyn Purdy and Alicia Flores were present, along with the following Supervisors:

Present: 5 - Supervisor Steele, Supervisor Farrington, Vice Chair Smith, Chair Brown and Supervisor Comstock

2. Moment of Silence

3. Pledge of Allegiance

Led by Tom Nixon.

4. Presentation of Animals at the Animal Care and Control Shelter

Animal Care and Control was not present.

5. Consideration of Items Not Appearing on the Posted Agenda (Extra Items)

There were no items to consider.

6. Current Construction Projects - Contract Change Orders

6.1 Approval of Contract Change Order No. 2 for Highland Springs Road at Highland Creek Bridge Replacement Project, Federal Project No. BRLO-5914(071); Bid No.15-02, in the Amount of $7,896.24 and Revise Contract Amount to $877,860.11.

Public Works Director Scott DeLeon presented the item to the Board. It was noted that the revised contract amount should be $885,756.35 and not $877,860.11 as listed on the Agenda.

Chair Brown asked if anyone present wished to speak. No one wished to speak and the public input portion of this item was closed.

On motion of Supervisor Farrington, and by vote of the Board, approved Change Order No. 2 for the Highland Springs Road at Highland Springs Bridge Replacement Project, Federal Project No. BRLO-5914(071); Bid No.15-02, in the amount of $7,896.24 for a revised contract amount of $885,756.35 and authorized the Chair to sign. The motion carried by the following vote:

Ayes- Supervisors: 5 - Steele, Farrington, Smith, Brown and Comstock

6.2 Approval of Contract Change Order No. 3 for Highland Springs Road at Highland Creek Bridge Replacement Project, Federal Project No. BRLO-5914(071); Bid No.15-02, for a Decrease of $19,401.60 and a Revised Contract Amount of $866,354.75

Public Works Director Scott DeLeon presented the item to the Board.

Chair Brown asked if anyone present wished to speak. No one wished to speak and the public input portion of this item was closed.

On motion of Supervisor Farrington, and by vote of the Board, approved Change Order No. 3 for Highland Springs Road at Highland Creek Bridge Replacement Project, Federal Project No. BRLO-5914(071); Bid No.15-02, for a decrease of $19,401.60 and a revised contract amount of $866,354.75 and authorized the Chair to sign. The motion carried by the following vote:

Ayes- Supervisors: 5 - Steele, Farrington, Smith, Brown and Comstock

7. Approval of the Consent Agenda

7.1 Approve Minutes of the Board of Supervisors Meetings Held February 23, 2016, February 16, 2016 and January 26, 2016.

This item was pulled and taken up immediately after the approval of the Consent Agenda. The minutes for the Board of Supervisors meeting held January 26, 2016 were not ready for approval.

On motion of Supervisor Smith, and by vote of the Board, approved the minutes of the Board of Supervisors meetings held February 16, 2016 and February 23, 2016. The motion carried by the following vote:

Ayes- Supervisors: 5 - Steele, Farrington, Smith, Brown and Comstock

7.2 Approve Out of State Travel to Greensboro, North Carolina From March 20, 2016 Through March 25, 2016 for Sherylin Taylor, PHN, Public Health Nursing Director, Public Health Division, to Attend Robert Wood Johnson Foundation's Public Health Nurse Leaders Program (PHNLs).

7.3 Adopt Resolution Approving an Agreement for the Purchase of a Temporary Construction Easement and Fee Title on a Portion of a Certain Parcel (APN 008-664-010) as Part of the Konocti Road Safe Routes to School Project, and Authorize the County Administrative Officer or the Public Works Director to Execute the Necessary Documents.

Enactment No: Resolution No. 2016-34

7.4 Adopt Resolution Approving an Agreement for the Purchase of a Temporary Construction Easement on a Portion of a Certain Parcel (APN 008-664-120) as Part of the Konocti Road Safe Routes to School Project, and Authorize the County Administrative Officer or the Public Works Director to Execute the Necessary Documents.

Enactment No: Resolution No. 2016-35

7.5 Adopt Resolution Approving an Agreement for the Purchase of a Temporary Construction Easement on a Portion of a Certain Parcel (APN 242-042-010) as Part of the Konocti Road Safe Routes to School Project, and Authorize the County Administrative Officer or the Public Works Director to Execute the Necessary Documents.

Enactment No: Resolution No. 2016-36

7.6 ERRATUM - Adopt Resolution Approving an Agreement for the Purchase of a Temporary Construction Easement and fee title on a Portion of a Certain Parcel (APN 242-041-010) as Part of the Konocti Road Safe Routes to School Project, and Authorize the County Administrative Officer or the Public Works Director to Execute the Necessary Documents.

Enactment No: Resolution No. 2016-37

7.7 ERRATUM - Adopt Resolution Approving an Agreement for the Purchase of a Temporary Construction Easement and fee title on a Portion of a Certain Parcel (APN 242-041-020) as Part of the Konocti Road Safe Routes to School Project, and Authorize the County Administrative Officer or the Public Works Director to Execute the Necessary Documents.

Enactment No: Resolution No. 2016-38

7.8 Adopt Resolution Approving an Agreement for the Purchase of a Temporary Construction Easement and Fee Title on a Portion of a Certain Parcel (APN 013-031-240) as Part of Bridge Replacement Project on Dry Creek Road, and Authorize the County Administrative Officer or the Public Works Director to Execute the Necessary Documents.

Enactment No: Resolution No. 2016-39

7.9 Adopt Resolution Approving an Agreement for the Purchase of Fee Title on a Portion of a Certain Parcel (APN 050-471-150) as Part of Bridge Replacement Project on Foard Road, and Authorize the County Administrative Officer or the Public Works Director to Execute the Necessary Documents.

Enactment No: Resolution No. 2016-40

7.10 Adopt Resolution Approving an Agreement for the Purchase of a Temporary Construction Easement and Fee Title on a Portion of a Certain Parcel (APN 050-471-090) as Part of Bridge Replacement Project on Foard Road, and Authorize the County Administrative Officer or the Public Works Director to Execute the Necessary Documents.

Enactment No: Resolution No. 2016-41

7.11 Adopt Resolution Approving an Agreement for the Purchase of a Temporary Construction Easement and Fee Title on a Portion of a Certain Parcels (APN 050-471-100 & 140) as Part of Bridge Replacement Project on Foard Road, and Authorize the County Administrative Officer or the Public Works Director to Execute the Necessary Documents.

Enactment No: Resolution No. 2016-42

7.12 Adopt Resolution Approving an Agreement for the Purchase of Fee Title of a Certain Parcel (APN 050-471-080) as Part of Bridge Replacement Project on Foard Road, and Authorize the County Administrative Officer or the Public Works Director to Execute the Necessary Documents

On motion of Supervisor Smith, and by vote of the Board, approved Consent Agenda Items 7.2 through 7.12. The motion carried by the following vote:

Ayes- Supervisors: 5 - Steele, Farrington, Smith, Brown and Comstock

Enactment No: Resolution No. 2016-43

8. Timed Items

8.1 9:05 A.M. - Public Input

There was no public input.

8.2 9:15 A.M. - Consideration of Continuing the Proclamation of a Local Health Emergency by the Lake County Health Officer.

Lake County Health Officer Dr. Karen Tait presented the item to the Board.

Chair Brown asked if anyone present wished to speak. No one wished to speak and the public input portion of this item was closed.

On motion of Supervisor Comstock, and by vote of the Board, Continued the Proclamation of a Local Heath Emergency by the Lake County Health Officer. The motion carried by the following vote:

Ayes- Supervisors: 5 - Steele, Farrington, Smith, Brown and Comstock

8.3 9:20 AM - Swearing in of New Correctional Officer Saul Arizmendi.

Sheriff Martin introduced new Correctional Officer Saul Arizmendi and administered the Oath of Office. Mr. Arizmendi's family members were present for the ceremony. The Board of Supervisors congratulated and welcomed Officer Arizmendi.

8.4 10:00 AM - Consideration of and Presentation by Tuleyome Regarding the Support for Purchase of the Silver Spur Ranch.

Bob Schneider presented the item to the Board.

Chair Brown asked if anyone present wished to speak and the following people spoke: Victoria Brandon and Tom Nixon. No one else wished to speak and the public input portion of this item was closed.

On motion of Supervisor Steele, and by vote of the Board, approved the letter of support for the Purchase of the Silver Spur Ranch. The motion carried by the following vote:

Ayes- Supervisors: 5 - Steele, Farrington, Smith, Brown and Comstock

8.5 10:05 AM - Consideration of and Presentation by Tuleyome Regarding the Establishment of a Northern Coast Range Inner Coastal Conservancy.

Supervisor Steele introduced the item. Bob Schneider presented the item to the Board.

Chair Brown asked if anyone present wished to speak and the following people spoke: Victoria Brandon and Tom Smythe. No one else wished to speak and the public input portion of this item was closed.

Supervisor Steele offered the Resolution and it was passed by roll call vote:

Ayes- Supervisors: 5 - Steele, Farrington, Smith, Brown and Comstock

Enactment No: Resolution No. 2016-44

9. Non-Timed Items

9.1 Supervisors' weekly calendar, travel and reports

9.2 Recovery Update from Staff, Assisting Agencies and/or Community Groups, Consequent to 2015 Wildland Fires

Chair Brown gave the update as Disaster Recovery Coordinator Carol Huchingson was not available. The survey engagement reported 55% of Valley Fire Survivors planned to rebuild, 25% were unsure and remaining 20% would not rebuild.

Environmental Health Director Ray Ruminski reported that the continued debris removal with CalRecycle has scaled down. CalRecycle is following up on damage claims and working through punch lists. The County is working with commercial property owners as CalOES will not fund those efforts. Community Development is working on nuisance abatements for properties which the owners have elected to do nothing.

Community Development Director Richard Coel stated that over 70 permits have been issued to rebuild on private property. FEMA has placed over 30 mobile homes on private property.

Public Works Director Scott DeLeon informed that crews are on their second week of hazardous tree removal on private properties which jeopardize road right of way. There are a total of 459 parcels with such conditions, 85 of which have been complete and a total of 196 Right of Entry forms that have not been returned.

Chair Brown asked if anyone present wished to speak. No one wished to speak and the public input portion of this item was closed.

9.3 Consideration of Continuing the Proclamation of Emergency Declaration for Wildfire Conditions

The item was self explanatory and staff was not called upon to present.

Chair Brown asked if anyone present wished to speak. No one wished to speak and the public input portion of this item was closed.

On motion of Supervisor Comstock, and by vote of the Board, continued the Proclamation of Emergency Declaration for Wildfire Conditions. The motion carried by the following vote:

Ayes- Supervisors: 5 - Steele, Farrington, Smith, Brown and Comstock

9.4 Consideration of Use of County Property for a Dormitory for Work Crews Engaged in Rebuilding Homes for Valley Fire Survivors

Hope City representative Kevin Cox presented the nonprofit's plan to rebuild 140 homes for the Valley Fire. Their organization is requesting a location to build a dormitory structure to occupy for 3 - 5 years while the rebuild takes place. A barn style diagram was proposed for the structure. There would also be a need for RV hookups on the property. Shelly Mascari from Team Lake County also spoke, as well as Interim Public Services Director Kim Clymire. The structure to be built could ultimately serve as a 4H camp and/or event center. There was also discussion of said facility possibly being used as disaster shelter if necessary.

Community Development Director Richard Coel reiterated that the structure intending to be built by Hope City would still need to meet California Environmental Quality Act (CEQA) requirements and would be subject to building compliance codes.

Chair Brown asked if anyone present wished to speak and the following people spoke: Mike Dunlap, Jose Simon III, and Tracy Boyle. No one else present wished to speak and the public input portion of this item was closed.

There was Board consensus to bring back proposed property options on March 15, 2016.

9.5 Consideration of various proposals to restructure the Public Works, Public Services, and Water Resources Departments

County Administrative Officer Matt Perry presented the Board with 6 different options and their fiscal impacts. Public Works Director Scott DeLeon, Interim Public Services Director Kim Clymire, and Assistant Public Works Director Lars Ewing also spoke.

Chair Brown asked if anyone present wished to speak and the following people spoke: Tom Nixon, Mike Dunlap and Victoria Brandon. No one else present wished to speak and the public input portion of this item was closed.

On motion of Supervisor Smith, and by vote of the Board, directed staff to initiate recruitment for Public Services Director and leave all departments as is. The motion carried by the following vote:

Ayes- Supervisors: 5 - Steele, Farrington, Smith, Brown and Comstock

9.6 Consideration of the Following Appointments:
Lake County/City Areawide Planning Council

Chair Brown asked if anyone present wished to speak and Martin Scheel spoke. No one else wished to speak and the public input portion of this item was closed.

On motion of Supervisor Farrington, and by vote of the Board, appointed Rachelle Damiata to the Lake County/City Areawide Planning Council. The motion carried by the following vote:

Ayes- Supervisors: 5 - Steele, Farrington, Smith, Brown and Comstock

9.7 Consideration of Request for Staff Direction to Prepare a Revised Ordinance Regarding Regulations of Taxicabs in Lake County

County Counsel Anita Grant presented the item to the Board. Community Development Director Richard Coel also spoke.

Chair Brown asked if anyone present wished to speak. No one wished to speak and the public input portion of this item was closed.

There was Board consensus to have County Counsel work with the Community Develpment Department and the Sheriff's office with regard to permitting and background and submit revised ordinance to the Board.

9.8 (Continued from February 23, 2016, February 16, 2016, February 2, 2016, January 19, 2016 and December 1, 2015) - Consideration of (a) Pole Attachment Agreement between the County of Lake and Pacific Bell Telephone Company; and (b) Amendment to Tower and Ground Space License Agreement between U.S. Cellular Corporation, New Cingular Wireless PCS, LLC, and the County of Lake

Interim Chief Deputy County Administrative Officer Jeff Rein informed the Board that the County issues have been resolved but AT&T and Crown have not yet come to an agreement, therefore final documents are not available. County Counsel Anita Grant reported that the insurance indemnifications of the County have also been resolved. Mr. Rein requested that the Item be carried over to the March 15, 2016 meeting.

This item was carried over to March 15, 2016.

10. Closed Session

Chair Brown announced the Board would now go into Closed Session for the reasons stated on the agenda.

The Board reconvened into Regular Session at 1:15 p.m. having taken the following actions:

10.1 Conference with Labor Negotiator: (a) County Negotiators: A. Grant, S. Harry, M. Perry, K. Ferguson and S. Jansen; and (b) Employee Organizations: DDAA, DSA, LCCOA, LCEA and LCSEA

10.2 Conference with Legal Counsel: Existing litigation pursuant to Gov. Code Sec. 54956.9(d)(1): Lakeside Heights HOA, et al. v. County of Lake, et al.

10.3 Conference with Legal Counsel: Decision whether to initiate litigation pursuant to Gov. Code Sec. 54956.9(d)(4): One potential case.

On motion of Supervisor Smith, and by vote of the Board, approved the County's filing of an amicus brief against the Director of the California Department of State Hospitals. The motion carried by the following vote:

Ayes: Supervisors Comstock, Smith, Steele and Brown
Absent: Supervisor Farrington

10.4 Public Employee Appointment pursuant to Gov. Code Section 54957(b)(1): Appointment of Interim Social Services Director.

On motion of Supervisor Smith, and by vote of the Board, appointed Kathy Maes as Interim Social Services Director effective April 2, 2016. The motion carried by the following vote:

Ayes: Supervisors Comstock, Smith, Steele and Brown
Absent: Supervisor Farrington

11. Adjournment

There being no further business, the Board of Supervisors adjourned at 1:16 p.m.

MATT PERRY
Clerk of the Board

By: ________________________________
Carolyn Purdy
Assistant Clerk of the Board

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Chair - Lake County Board of Supervisors